

OCT 18 2004

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RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638

COPY

Attorney Docket No. 5051-471

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.  
Serial No.: 09/941,042  
Filed: August 28, 2001

Confirmation No.: 4291  
Group Art Unit: 1638  
Examiner: A. Kubelik

For: *NUCLEIC ACIDS AND METHODS FOR PRODUCING TRANSGENIC PLANTS  
CONTAINING MOLECULAR DECOYS*

Date: October 13, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME  
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of (3) three months to respond to the Official Action dated April 13, 2004.

2. A response in connection with the matter for which this extension is requested:

is filed herewith.

has been filed.

3. Applicant:

Claims small entity status. See 37 CFR 1.27.

Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

|                                     | Total Months Requested | Fee For Other Than Small Entity | Fee for Small Entity |
|-------------------------------------|------------------------|---------------------------------|----------------------|
| <input type="checkbox"/>            | one month              | \$110.00                        | \$55.00              |
| <input type="checkbox"/>            | two months             | \$430.00                        | \$215.00             |
| <input checked="" type="checkbox"/> | three months           | \$980.00                        | \$490.00             |
| <input type="checkbox"/>            | four months            | \$1,530.00                      | \$765.00             |
| <input type="checkbox"/>            | five months            | \$2,080.00                      | \$1,040.00           |

Fee Enclosed \$980.00

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- A check in the amount of \$1320.00 (\$340.00 Notice of Appeal fee and \$980.00 extension fee) is enclosed.
- Payment by credit card (Form PTO-2038) is enclosed.
- Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,

*Mary L. Miller*

Mary L. Miller  
Registration No. 39,303

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
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Customer Number 20792

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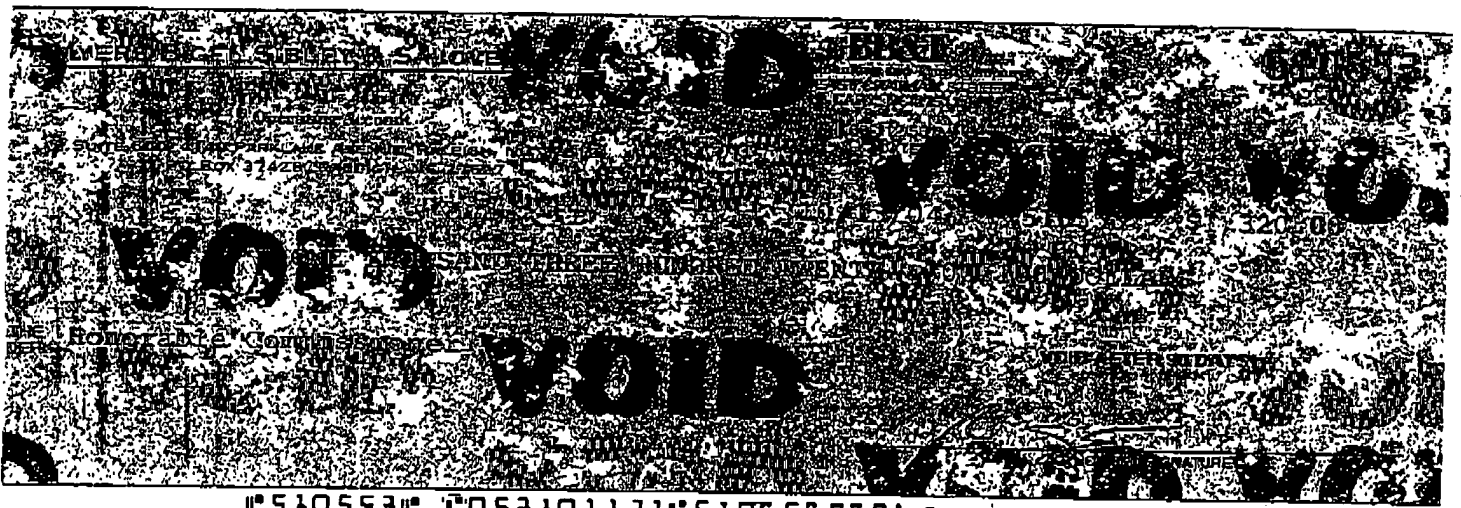
*K. Chung*  
Katie A. Chung

2300.00 Honorable Commissioner  
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